IN THE CLAIMS:

Please cancel claims 1, 15, 17-25, 39, 41-48, 62, 64-71, 85, 87-93, and 95-99 without prejudice.

Please amend claim 60 to read as follows:

60. (Amended) The method of claim 49, wherein at least one of the secondary effector molecule is an anti-tumor protein, an immunomodulating agent, a pro-drug converting, an antisense molecule, a ribozyme, or an antigen.

Please add new claims 100-141:

100. (New)The attenuated tumor targeted bacteria of claim 2, wherein the secondary effector molecule is a release factor.

101. (New)The attenuated tumor targeted bacteria of claim 2, wherein the antisense molecule is double-stranded or single-stranded DNA, double-stranded or single-stranded RNA, or a triplex molecule.

102. (New)The attenuated tumor targeted bacteria of claim 2, wherein the anti-tumor protein is a ribosome inactivating protein.

103. (New)The attenuated tumor targeted bacteria of claim 102, wherein the ribosome inactivating protein is saporin, ricin, or abrin.

104. (New)The attenuated tumor targeted bacteria of claim 2, wherein the pro-drug converting enzyme is cytochrome p450 NADPH oxidoreductase.

105. (New)The attenuated tumor targeted bacteria of claim 16, wherein the BRP protein is obtainable from the cloacin DF13 plasmid.

106. (New)The attenuated tumor targeted bacteria of claim 13, wherein the immunomodulating agent is IL-1, IL-2, IL-4, IL-5, IL-10, IL-15, IL-18, endothelial monocyte activating protein-2, GM-CSF, IFN-γ, IFN-α, MIP-3α, SLC, or MIB-3β.

107. (New)The attenuated tumor targeted bacteria of claim 13, wherein the immunomodulating agent is encoded by an MHC gene.

108. (New)The attenuated tumor targeted bacteria of claim 107, wherein the imunomodulatory agent encoded by the MHC gene is HLA-B7.

109. (New)The attenuated tumor targeted bacteria of claim 13, wherein the immunomodulating agent is α-1,3-galactosyl transferase.

110. (New)The attenuated tumor targeted bacteria of claim 13, wherein the immunomodulating agent is a tumor-associated antigen.

111. (New) The attenuated tumor targeted bacteria of claim 110, wherein the tumor-associated antigen is carcinoembryonic antigen (CEA).

112. (New)The attenuated tumor targeted bacteria of claim 2, wherein the secondary effector molecule is an inhibitor of inducible nitric oxide synthase or of endothelial nitric oxide synthase.

113. (New)The pharmaceutical composition of claim 26, wherein the secondary effector molecule is a release factor.

114. (New)The pharmaceutical composition of claim 37, wherein the antisense molecule is double-stranded or single-stranded DNA, double-stranded or single-stranded RNA, or a triplex molecule.

115. (New)The pharmaceutical composition of claim 37, wherein the anti-tumor protein is a ribosome inactivating protein.

116. (New)The pharmaceutical composition of claim 115, wherein the ribosome inactivating protein is saporin, ricin, or abrin.

117. (New)The pharmaceutical composition of claim 37, wherein the pro-drug converting enzyme is cytochrome p450 NADPH oxidoreductase.

Q2

118. (New)The pharmaceutical composition of claim 40, wherein the BRP protein is obtainable from cloacin DF13.

119. (New)The pharmaceutical composition of claim 37, wherein the immunomodulating agent is IL-1, IL-2, IL-4, IL-5, IL-10, IL-15, IL-18, endothelial monocyte activating protein-2, GM-CSF, IFN-γ, IFN-α, MIP-3α, SLC, or MIB-3β.

120. (New)The pharmaceutical composition of claim 37, wherein the immunomodulating agent is encoded by an MHC gene.

121. (New)The pharmaceutical composition of claim 120, wherein the imunomodulatory agent encoded by the MHC gene is HLA-B7.

122. (New)The pharmaceutical composition of claim 37, wherein the immunomodulating agent is α-1,3-galactosyl transferase.

123. (New)The pharmaceutical composition of claim 37, wherein the immunomodulating agent is a tumor-associated antigen.

124. (New)The pharmaceutical composition of claim 123, wherein the tumor-associated antigen is carcinoembryonic antigen (CEA).

125. (New)The pharmaceutical composition of claim 26, wherein the secondary effector molecule is an inhibitor of inducible nitric oxide synthase or of endothelial nitric oxide synthase.

126. (New)The method of claim 49, wherein at least one of the secondary effector molecule is a release factor.

127. (New)The method of claim 60, wherein the antisense molecule is double-stranded or single-stranded DNA, double-stranded or single-stranded RNA, or a triplex molecule.

128. (New)The method of claim 60, wherein the anti-tumor protein is a ribosome inactivating protein.

129. (New)The method of claim 128, wherein the ribosome inactivating protein is saporin, ricin, or abrin.

130. (New)The method of claim 60, wherein the pro-drug converting enzyme is cytochrome p450 NADPH oxidoreductase.

131. (New)The method of claim 63, wherein the BRP protein is obtainable from cloacin DF13.

132. (New)The method of claim 60, wherein the immunomodulating agent is IL-1, IL-2, IL-4, IL-5, IL-10, IL-15, IL-18, endothelial monocyte activating protein-2, GM-CSF, IFN-γ, IFN-α, MIP-3α, SLC, or MIB-3β.

133. (New)The method of claim 60, wherein the immunomodulating agent is encoded by an MHC gene.

134. (New)The method of claim 60, wherein the imunomodulatory agent encoded by the MHC gene is HLA-B7.

135. (New)The method of claim 60, wherein the immunomodulating agent is α-1,3-galactosyl transferase.

136. (New)The method of claim 60, wherein the immunomodulating agent is a tumor-associated antigen.

137. (New)The method of claim 136, wherein the tumor-associated antigen is carcinoembryonic antigen (CEA).

138. (New)The method of claim 49, wherein the secondary effector molecule is an inhibitor of inducible nitric oxide synthase or of endothelial nitric oxide synthase.

139. (New) The attenuated tumor targeted bacteria of claim 2, wherein the pro-drug converting enzyme is cytosine deaminase.

140. (New) The pharmaceutical composition of claim 37, wherein the pro-drug converting enzyme is cytosine deaminase.

141. (New) The method of claim 60, wherein the pro-drug converting enzyme is cytosine deaminase.

REMARKS

An election under 35 U.S.C. § 121 has been required to one of the following inventions:

Group I. Claims 1, 3-12, 14, 15, 25, 27-36, 38, 39, 48, 50-59, 61, 62, 71, and 73-85, drawn to an attenuated tumor targeted bacteria comprising one